

AGENDA
FREMONT REDEVELOPMENT AGENCY REGULAR MEETING
DECEMBER 1, 2009
7:00 P.M.

1. CALL TO ORDER

2. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Redevelopment Agency and will be enacted by one motion and one vote. There will be no separate discussion of these items unless an Agency Member or citizen so requests, in which event the item will be removed from the Consent Calendar and considered in its normal sequence on the agenda. Additionally, other items without a "Request to Address the Redevelopment Agency Board" card in opposition may be added to the consent calendar. (In the report section of the agenda, consent items are indicated by an asterisk.)

2.1 *Approval of Minutes – for the Meetings of October 13, 2009 and May 19, 2009.*

2.2 **AGENCY BOARD AUTHORIZATION TO TRANSMIT PLAN AMENDMENT DOCUMENTS TO PLANNING COMMISSION AND COMMENTING PARTIES**
Agency Board Consideration of Resolution Authorizing the Executive Director to Transmit Proposed Amended Plan and Final Subsequent Environmental Impact Report to Planning Commission for Recommendation and to Parties Commenting on Draft Subsequent Environmental Impact Report

Contact Person:

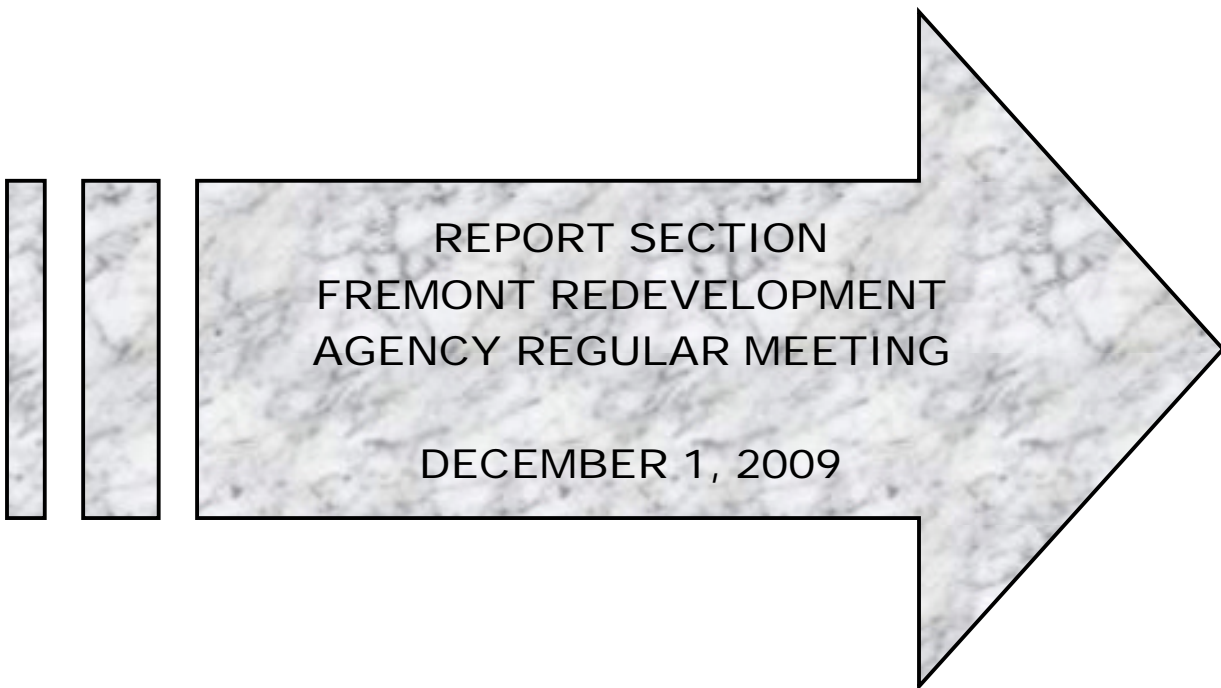
Name:	<i>Elisa Tierney</i>	<i>Melissa Stevenson Dile</i>
Title:	<i>Redevelopment Director</i>	<i>Deputy Executive Director</i>
Dept.:	<i>City Manager's Office</i>	<i>City Manager's Office</i>
Phone:	<i>510-494-4501</i>	<i>510-284-4005</i>
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RECOMMENDATION: *Approve a resolution authorizing the Executive Director to submit specified documentation regarding the proposed Consolidated Amended and Restated Redevelopment Plan for the Fremont Merged Redevelopment Project (including Irvington, Niles, Centerville and Industrial Areas) to the City of Fremont Planning Commission and the Draft SEIR Commenting Parties.*

3. PUBLIC COMMUNICATIONS

3.1 Oral and Written Communications

- 4. PUBLIC HEARINGS – None.**
- 5. OTHER BUSINESS – None.**
- 6. ADJOURNMENT**



REPORT SECTION
FREMONT REDEVELOPMENT
AGENCY REGULAR MEETING

DECEMBER 1, 2009

***2.2 AGENCY BOARD AUTHORIZATION TO TRANSMIT PLAN AMENDMENT DOCUMENTS TO PLANNING COMMISSION AND COMMENTING PARTIES**
Agency Board Consideration of Resolution Authorizing the Executive Director to Transmit Proposed Amended Plan and Final Subsequent Environmental Impact Report to Planning Commission for Recommendation and to Parties Commenting on Draft Subsequent Environmental Impact Report

Contact Person:

Name:	Elisa Tierney	Melissa Stevenson Dile
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Executive Summary: At the direction of the Agency Board and the City Council, staff has prepared for consideration of approval the proposed Consolidated Amended and Restated Redevelopment Plan (the "Amended Plan") for the Fremont Merged Redevelopment Project (including Irvington, Niles, Centerville and Industrial Area) (the "Merged Project Area"). As part of the adoption process, staff is now requesting that the Agency Board approve a resolution authorizing the Executive Director to submit the Amended Plan, along with various statutory reports such as the Subsequent Environmental Impact Report on the Amended Plan (the "SEIR"), to the Planning Commission for its review and recommendation, and to persons and organizations that commented on the Draft SEIR.

BACKGROUND: On July 24, 2007, the City Council and the Agency authorized staff to commence the process to prepare the Amended Plan in accordance with the requirements of the California Community Redevelopment Law (the "CRL") and the California Environmental Quality Act ("CEQA"), including designating the City as the lead agency and the Agency as a responsible agency for preparation of environmental documents. Since July 2007, considerable work has been accomplished on the Amended Plan adoption process. In January 2008, the Planning Commission adopted the Preliminary Plan Amendment. Immediately following this action, a Statement of Plan Amendment was submitted to the State Board of Equalization, County Tax Collector, County Auditor, County Assessor, County Administrator and affected taxing entities, and the Notice of Preparation of the SEIR was circulated. In August of this year, the Amended Plan, a Preliminary Report on the Amended Plan setting forth information required by the CRL, a Draft SEIR, and a Notice of Availability of Draft SEIR were distributed to various entities in accordance with the CRL and CEQA and made available to the public.

On September 10, 2009, the Planning Commission conducted a public hearing to receive comment on the Draft SEIR. During the public comment period, the City received comments on the Draft SEIR from one individual and four public agencies (the "Draft SEIR Commenting Parties"). The City has now prepared a Final SEIR in accordance with CEQA that provides responses to the comments received from the Draft SEIR Commenting Parties as well as limited revisions to the Draft SEIR.

Concurrent to the actions outlined above, staff has conducted numerous meetings with the affected taxing entities (the local governments receiving property taxes from the Merged Project Area) in order to obtain input on the Amended Plan and to secure each entity's approval of related revisions to various

taxing entity agreements that were previously executed at the time of earlier redevelopment plan amendments in 1993 and 1998. Such taxing entity agreements govern the portion of property tax increment revenue received by the Agency from the Industrial Area portion of the Merged Project Area that is “passed through” by the Agency to the affected taxing entities (commonly referred to as “Pass Through payments”). In some cases, these agreements also set forth joint efforts to achieve redevelopment program improvements of mutual benefit to the Merged Project Area and the affected taxing entities. (Companion items on tonight’s City Council and Agency Board agendas seek approval for the proposed taxing entity agreements.)

DISCUSSION/ANALYSIS: The Amended Plan would accomplish two primary goals: 1) it would consolidate the individual redevelopment plans for the four subareas (Irvington, Niles, Centerville, and Industrial Area) that were merged in 1998 to create the Merged Project Area into the form of one single “Consolidated Amended and Restated Redevelopment Plan for the Fremont Merged Redevelopment Project Area;” and 2) it would allow the Redevelopment Agency to continue to collect tax increment revenue generated in the Industrial Area portion of the Merged Project Area which, in turn, would allow the Agency to continue its key revitalization projects.

Specifically, the Amended Plan would raise the current cap by \$1.1 billion, from \$400 million to \$1.5 billion, on collection of tax increment revenue. This source of revenue is a critical component of the City’s efforts to stimulate the local economy and would provide the revenue source necessary to complete projects contemplated in prior redevelopment plans, such as the Irvington BART Station, commercial building renovation projects, and infrastructure and streetscape work in the historic districts of Irvington, Niles and Centerville. Redevelopment captures the incremental increases over time of property values from properties located in the Merged Project Area. Without redevelopment, the majority of this revenue would be lost to the City. Approximately \$.15 of General Fund property tax revenue foregone from the appreciation of properties in the Merged Project Area would leverage \$1 in Tax Increment revenue.

Before the City Council can consider certification of the SEIR for the Amended Plan or adoption of the Amended Plan, the CRL requires that the Amended Plan first be submitted to the Planning Commission for its report and recommendation, including a report on the conformance of the Amended Plan with the City’s General Plan. At this time, staff recommends that the Agency comply with this CRL requirement by transmitting the Amended Plan and the Final SEIR to the Planning Commission for its report and recommendation.

CEQA requires that the Draft EIR Commenting Parties receive a copy of the Final SEIR. At this time, staff recommends that the City and the Agency comply with this CEQA requirement by transmitting a copy of the Final SEIR to the Draft SEIR Commenting Parties.

Agency authorization of these transmittals does not in any way commit the City or Agency to certification of the SEIR or adoption of the Amended Plan. Rather, these are statutorily required procedural steps that must be accomplished before the Agency and the City Council conduct a joint public hearing to consider certification of the SEIR and adoption of the Amended Plan. That joint public hearing is currently anticipated to occur in February 2010. The convening and noticing of such joint public hearing will be the topic of upcoming City Council and Agency actions.

FISCAL IMPACT: Increasing the current cap would provide additional and much-needed local funding for economic revitalization in the Merged Project Area, primarily in the historic districts of Irvington, Niles, and Centerville. Specifically, the Amended Plan would provide significant additional funds for regional transportation projects such as the Irvington BART station, economic development and redevelopment activities and projects in the historic districts of the Merged Project Area, and development of new and rehabilitated affordable housing.

Community Outreach: Public outreach began almost immediately after the initial project kickoff by the City Council and the Agency Board in 2007. In November 2007, a meeting of the Redevelopment Advisory Committee (RAC) was held to receive comment on the Plan Amendment process (with a subsequent meeting held this past September to provide the RAC with a progress report). In February 2008, staff held a general public scoping meeting for the proposed project. Staff has met with numerous groups to discuss the Plan Amendment process, including the Irvington Business Association, Centerville Business and Community Association, Niles Property Owners and Niles Main Street, Glenmoor Homeowners Association, Chamber of Commerce Governmental Affairs Committee, League of Women Voters, Congregations Organizing for Renewal (COR), Economic Development Advisory Commission and other civic groups such as local Rotary and Lions Club chapters.

ENVIRONMENTAL REVIEW: As noted, an SEIR has been prepared for the Amended Plan in accordance with the requirements of CEQA and will be considered for certification at a future date. Because the currently recommended actions are procedural steps toward consideration of certification of the SEIR and adoption of the Amended Plan, and will themselves not result in any approvals that could have environmental impacts, these procedural actions do not themselves require preparation or approval of any CEQA document.

ENCLOSURE: [Draft Resolution](#)

RECOMMENDATION: Approve a resolution authorizing the Executive Director to submit specified documentation regarding the proposed Consolidated Amended and Restated Redevelopment Plan for the Fremont Merged Redevelopment Project (including Irvington, Niles, Centerville and Industrial Areas) to the City of Fremont Planning Commission and the Draft SEIR Commenting Parties.

5.1 Report Out from Closed Session of Any Final Action